

IN THE DRAWINGS

The drawings were objected to because Figures 1-10 are labeled with hand written letters and characters.

Corrected drawings are supplied herewith.

REMARKS

This responds to the Office Action mailed on January 12, 2006, and the references cited therewith.

Claims 1, 6, and 11 are amended, and claim 16 is canceled; as a result, claims 1-15 are now pending in this application.

§102 Rejection of the Claims

Claims 1 and 3-4 were rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Jörg Alexnat et al. (U.S. Patent No. 6,058,702).

Claim 1 has been amended to include similar subject matter as allowable claim 16. Applicant believes claim 1, as amended, is not anticipated by the cited reference since the reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: a “sound-dampening device including a tubular member having two or more internal rings, wherein the rings are positioned and adapted to create water droplets as the exhaust gases and the water exit the combustion engine,” as recited in claim 1.

Claims 3-4 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 6 and 8 were rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Davey (U.S. Patent No. 5,639,127).

Claim 6 has been amended to include similar subject matter as allowable claim 16. Applicant believes claim 6, as amended, is not anticipated by the cited reference since the reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: two or more rings located on the inner diameter of the flexible exhaust hose, each ring having an outer diameter the same as the inner diameter of the flexible exhaust hose and an inner diameter smaller than the inner diameter of the flexible exhaust hose, “wherein the rings are positioned and adapted to create water droplets as exhaust gases and water exit the combustion engine,” as recited in claim 6.

Claim 8 includes each limitation of its parent claim and is therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 11-12 and 13-14 were rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Bishop et al. (U.S. Patent No. 6,843,516).

Claim 11 has been amended to include the subject matter of allowed, dependent claim 16. Claims 12 and 13-14 depend therefrom. Reconsideration and allowance is respectfully requested.

§103 Rejection of the Claims

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jörg Alexnat et al. (U.S. Patent No. 6,058,702), in view of Woon et al. (U.S. Patent No. 6,408,625).

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jörg Alexnat et al. (U.S. Patent No. 6,058,702), in view of Smullin et al. (U.S. Patent No. 6,591,939).

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davey (U.S. Patent No. 5,639,127).

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davey (U.S. Patent No. 5,639,127) in view of Smullin et al. (U.S. Patent No. 6,591,939).

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davey (U.S. Patent No. 5,639,127).

Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop et al. (U.S. Patent No. 6,843,516).

Each of claims 2, 5, 7, 9, 10 and 15 depend from parent claims which include the limitation: wherein the rings are adapted to create water droplets as exhaust gases and water exit the combustion engine. Applicant believes these claims are allowable since the secondary references cited above also do not include such subject matter. Reconsideration and allowance is respectfully requested.

Allowable Subject Matter

Claim 16 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims. The subject matter of allowable claim 16 has been added to parent claim 11.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DEBORAH A. KLINKERT ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 359-3267

Date 6/12/06

By Peter C. Maki
Peter C. Maki
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12th day of June, 2006.

PATRICIA A. HULTMAN

Name

Patricia A. Hultman

Signature